

## Message Text

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PAGE 01 STATE 234497  
ORIGIN EB-08

INFO OCT-01 EUR-12 ISO-00 DOTE-00 L-03 SP-02 SS-15  
NSC-05 PRS-01 CIAE-00 INR-07 NSAE-00 /054 R

DRAFTED BY EB/OA/AVP:AJWHITE:SP  
APPROVED BY EB/TCA:JWBILLER  
EUR/WE:EBEIGEL  
DOT:GWOLFF  
EB/OA:MHSTYLES

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-----095311 292048Z /66

P R 291625Z SEP 77  
FM SECSTATE WASHDC  
TO AMEMBASSY PARIS PRIORITY  
INFO AMEMBASSY LONDON

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E.O. 11652: N/A

TAGS: EAIR, FR, EN

SUBJECT: CONCORDE

REF: STATE 229176

1. FRENCH COUNSELOR CHENU CALLED ON DEPUTY ASSISTANT  
SECRETARY BILLER SEPTEMBER 27 IN ORDER TO CLARIFY  
CONCORDE STATEMENT MADE BY DOT SECRETARY ADAMS SEPTEMBER 23.

2. CHENU SAID THAT STATEMENT SEEMED TO CONTAIN A  
CONTRADICTION IN THAT IT SPEAKS OF PERMITTING THE 16  
CONCORDES COMPLETED OR UNDER CONSTRUCTION TO OPERATE IN  
HS BUT ALSO STATES THAT EXEMPTION OF FLIGHTS AT DULLES  
WILL BE SUBJECT TO ISSUANCE OF FINAL NOISE RULES.

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3. BILLER ASSURED CHENU THAT SECRETARY ADAMS' STATEMENT  
CONTAINS NO SUCH CONTRADICTION: "GRANDFATHERING" OF 16  
CONCORDES IS ELEMENT IN A PROPOSED NOISE RULE. FINAL  
NOISE RULES, AS SECRETARY ADAMS HAD EMPHASIZED, WILL BE  
ISSUED ONLY AFTER ALL INTERESTED PARTIES HAVE HAD  
OPPORTUNITY TO COMMENT, IN ACCORDANCE WITH US LAW AND

PROCEDURES. CHENU WAS CONCERNED THAT ADVERSE COMMENT ON

CONCORDE MIGHT LEAD TO FINAL NOISE RULES THAT WOULD EXCLUDE THE 16 CURRENT PRODUCTION MODELS. BILLER EXPLAINED THAT ADVERSE COMMENT, WHILE IT COULD BE EXPECTED, WOULD NOT BY ITSELF DETERMINE OUTCOME OF RULE-MAKING PROCEDURE. ALL FACTORS INVOLVED WOULD BE CAREFULLY CONSIDERED IN ARRIVING AT FINAL RULES, JUST AS SECRETARY ADAMS' STATEMENT OF SEPTEMBER 23 WAS THE RESULT OF CAREFUL AND THOROUGH STUDY OF ALL ASPECTS OF THE CONCORDE ISSUE.

4. CHENU THEN EXPRESSED CONCERN THAT COURTS MIGHT RULE AGAINST CONTINUED CONCORDE ACCESS AT DULLES SINCE NO FINAL NOISE RULES HAD BEEN ISSUED REGARDING ACCESS AT DULLES. BILLER POINTED OUT THAT CONCORDE ACCESS AT DULLES HAD ALREADY SUCCESSFULLY WITHSTOOD COURT CHALLENGE.

5. WE REMINDED CHENU THAT THE ACTUAL NPRM HAD NOT BEEN ISSUED BUT WE EXPECTED IT TO BE ISSUED VERY SOON, POSSIBLY THIS WEEK.

6. CHENU INDICATED THAT HE WOULD REPORT RESULTS OF MEETING TO PARIS AND THAT FRENCH GOVERNMENT MAY WANT TO SEND A NOTE GIVING ITS UNDERSTANDING OF SECRETARY ADAMS' STATEMENT.

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7. WE FIND PUZZLING CHENU'S DIFFICULTIES IN UNDERSTANDING WHAT IS A SHORT STRAIGHTFORWARD STATEMENT. FRENCH OFFICIALS MUST BE FULLY FAMILIAR BY NOW WITH WHAT IS INVOLVED IN US RULE-MAKING PROCEDURES. (THEY HAVE AMPLE LEGAL TALENT TO EXPLAIN IT TO THEM). EMBASSY MAY WISH AT ITS DISCRETION TO CLARIFY SECRETARY ADAMS' STATEMENT TO GOF. CHRISTOPHER

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## Message Attributes

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**Original Handling Restrictions:** n/a  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009